App F. IX-4

Previous References. 1943.44 (Legis) **File No.** 33-43. **Serial Nos.** 1.

Later References.

41

GENERAL AND REVENUE SECRETARIAT

Serial Nos. one only.

Part B for January 1944

SUBJECT

The Mysore Labour (Amendment) Act, 1944.

To

The compiler, Mysore Gazette, Bangalore.

No. R.L. 521/Legis 33.43-1 dated 26-1-44

orders the publication of the Act in the Gazette.

R.S.C. Sekhar
29/6/48.

5

Letter No. A. 18/I.D./42-3 dated the 3rd. May 1943 from the Commr. of Labr. forwarding a statement of industrial dispute referred to the Chief Conciliator and stating that though Conciliation Proceedings were started could not be completed within a month from the date initiation of the same as required by Sect. 12 of the Act, and requesting of Govt as to the Procedure to be adopted in such case.

1) The Commr. has forwarded a list of industrial disputes referred to the Chief Conciliator under Sec 13(3) of the Lab Act. It is also stated that Conciliation Proceedings were started in regard of the ind. dispute in the Mysore Gold Mining Co. Ltd in the first week of March 1943, but before the Proceedings the Proceedings could not be completed within a month, as the Chief Conciliator went on leave. Under Sec. 12 (1) of the Act, the Conciliation Proceedings should be concluded within one month from the date of initiation of the Proceedings. As reported by the Commr. the legal effect of the non-fulfilment of the Provision of

Conciliation Proceedings under Lab. Act

6498/42
D 5142

Continuation Sheet. 9fc File No. 105 / Current No. of 42 Page.

This Section has not been specified in the Act. The Comm. Solicitor is to be asked to give a ruling as to the Procedure to be adopted in such Cases.

2) Perhaps the Regr. of Associations (also Chief Conciliator) may be consulted to furnish his remarks in the matter. Subject for orders.

Dy. 14/5

3) Section 12 (1) of the Labour Act seems to require a slight amendment providing for an extension of time whenever circumstances beyond the control of the Conciliator or Board necessitate it. The Law Secretary may be consulted in the matter.

4) A copy of the relevant correspondence may in the meanwhile be sent to the Chief Conciliator for remarks if any.

5) The mandatory provisions of Sec 12 (1) are mandatory as to the completion of Conciliation proceedings within one month. If a settlement is not reached within that period, a report is to be submitted to Govt. under Sec 12 (4). There is no provision for remedying the non-fulfilment of the provisions of Section 12. The Law Secy may be consulted.

Dy. Secy. 14/5/43

6) Particulars of the Law Suit

Ce 15/5

Dy 15/5

Dy 15/5/43

SECY. LAW DEPT. 15/5/43 GOVT. OF MYSORE

Law 279/42
16/5/43.

8) In the absence of a specific provision to the contrary and in view of the mandatory nature of the provisions of section 12(4) of the Labour Act, any prolongation of the proceedings beyond the time limit fixed in that section would be null and void. The section requires amendment to meet cases of the kind now reported. Sections 41 and 42 of the Bombay Trade Disputes Act, 1938, enable the Govt to extend the time limit for conciliation proceedings by a further period of a fortnight at a time not exceeding in any case two months in the aggregate. It is further provided that conciliation proceedings shall be deemed to have been completed when the time limit fixed for the completion of such proceedings has expired. Our Labours Act also requires amendment on the same lines

JMM 1/7

Law Secy. 1/7

9) I agree A

Chs. 2.7.43

JMM 3/7

(Ist Proviso)

10) [illegible] the amendment accordingly

[illegible]

11) [illegible]

Ce 7/7

M 7.7

12.7.43

Ce

MJ M 13/7

SECY. LAW DEPT. 2/7/43 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 7.7.43 No. 193

Letter No. A 18/22/42-3 Dated 6.7.43 from Govt of Bom. Reminder on the matter

Conciliation Proceedings under Sec 12 of the Labour Act 1940 — 118/1 R.A. 61/42 — 167

Continuation Sheet. — File No. / Current No. 105 — of — Page.

12) This may be sent to the Legislative Draftsman to put up the Off. amendment bill referred to in Para 10.

13) [illegible] 14/7

14/7/43

14) The Hon. Member recalls a discussion on this very question in the Select Committee. These discussions were taken down in shorthand and later transcribed. Steps are being taken immediately and put up. The file will be submitted when the typed copies are ready.

15/7/43

17.7.43

15) The manuscript portions of the discussions and report of the Select Committee on the Labour Bill is not found in the main Act file. A spare copy of the Report of the Select Committee is the only available record on the subject and is put up herewith.

16) If approved the administrative section will be consulted, if it is available there.

17/7/43

17) Yes. Urgently

17.7.43

Read on 19/7

17/7

Supdt I&C Branch

18) Regd A, I have made a search & the same is not available [illegible]

19/7

R.A.L.E. Silvera

D 1140—GPB—50,000—5-11-42

19) A draft Bill adding a proviso to 12(1) ~~above~~ is put up. This will permit Govt to extend the period necessary for Conciliation in any Case in which it Considers it necessary to do so.

20) This question, I remember, Came up for Consideration when the provisions of the main Act were being scrutinised by the Select Committee. Then the Law Minister explained that Conciliation Proceedings should be Conducted as expeditiously as possible and if power was given to extend the Period specified, that this power would be sought to be availed of in more Cases than was desirable He stated that it was best that a Statutory inflexible period of time was specified.

21) As pointed out at para 8 above, the Act is silent as to what will happen if Proceedings are not Completed within the Period of one month. In the Bombay Act 20 draft Section 4.2 provides that in such a Case the Conciliation Proceedings shall be deemed to have been Completed. Under our Act on the other hand, even the possibility of a specific time limit not specified being required for the Proceeding is not Contemplated. This was specifically left unprovided as all Conciliation Proceedings were required, without exception

Conciliation Proceedings under the Labour Act

6142, 167

Continuation Sheet: No. File No. / Current No. 118/R.A. of Page.

to be completed within one month.

22) In case provision has to be made orders are solicited as to what more provisions should be.

23) The legality of strike and lock out is made dependent on the completion of conciliation proceedings (whether settlement is reached or not) and then provision will have to come in for revision if a new clause has to be added on the lines of section 42 of the Bombay Act.

Secy (RA & Le) 29.7.43

24) BKR 29.7.43

Law Secy

25) Ans 29-7-43

Dy Secy

26) Please put up a copy of the Bombay Act.

Ce 30/7

27) A copy of the Bombay Industrial Disputes Act, 1938 is submitted herewith.

Dy Secy 28/7

31.7.43 29) The draft put up seems to give scope for unlimited extension of time. It is better to restrict it to 2 months as a maximum of 2 months as in the Bombay Act. Also, as in the latter Act, opportunity

SECY. LAW DEPT. 1010 GOVT OF MYSORE 9/7/43

DEC'D 30 JUL 1943 Gc Ce

DEC'D 3 AUG. 1943 GC

may be given to the Banks to extend its time limit by mutual agreement. Further, a clause similar to S.42 of the Boundary Act may also be added.

Mini. L.S.G. thro Law Sec

Ce 4/8 4/8

30) A revised draft Bill embodying the directions of Development Secretary is put up for consideration

31) Reference is invited to Section 2(7)(c) of the Principal Act. It is not clear how the illegality or otherwise is to be determined in a case where the time limit fixed for completion under Section 12 has expired. (So also in 26(d))

Law Secy) 10.8.43

32) Please bring up in person

10.8.43

S 42 of the Boundary Act cannot be adopted as it will defeat the object of the provisions of Sections 26(a) & 27(c) of the Act.

Dy Secy

11-8-43

11.8.43

33) Vide para. The last item of the remarks draft may be omitted & the rest approved

Mini. L.S.G. thro Law Sec

Ce 11/8

34) 11.8.43

Ce 11/8

12-8-43

35)

Ce 11/8

SECY. LAW DEPT. 4/8/43 GOVT. OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 13.8.43 No. 1274

SECY. LAW DEPT. GOVT. OF MYSORE

The Secy Rd v Le is on leave today 10.8.43

SECY. LAW DEPT. GOVT. OF MYSORE

IWD 0972—GPB—10,000—21-10-42

Mysore Labour Act (amendment)

Continuation Sheet. 2 File No. 105 118/R.A 6642, 167 Page.
Current No. of 42

36) This may be sent to the Legis Secy to put up the Statement of Principles

Jh 18/8

37) Please see me

TS 18/8

38) Law Minister's obtained

Jh 19/8

DEPUTY CHIEF SECRETARY
25 AUG 1943
R 1224

Jh 18/8

39) Dft Statement of Principles

Subm for appl After appl, the file can be sent to the C.B. for further action & early return of the file.

Jh 23/8

40) Dft is put up for consideration / This may be submitted to Dewan

Not quite correct. Law to be amended by Legislative Council

Jh 23/8

Secy) TS 24/8/43

41) For approval of the foregoing legislation

Dewan)

Ce 25/8

TS 25/8.

43) Rlle

26/8/43

Ce 26/8

(Legis Secy) TS 26/8

44) Revised draft & principles put up.

Further action has to be taken in the above matter

Ce 27.8.43.

Legis Secy)

DEPUTY CHIEF SECRETARY
24 AUG 1943
GOVT. OF MYSORE

45) BKR 27.8.43

Asst Secy (for Secy)

46) TS 27/8.

47) The Revised Statement of Principles is for perusal. A copy of the same may be got typed & placed in the file before sending it to the C.B.

Jh 28/8

48) Yes; draft TS 28/8

Mysore Labour Act (amendment)

6142, 167

49 Typed copy & Statement & principles placed in the file. The file may now be sent to the C.B. for immediate action.

JLB 31/8

(C.B.) 50 TP 31/8/43

submitted with a circulation Memo.

JLB 31/8

JLB 1/9/43. WB 1/9/43

9fc 167

51/L

For Disposal by Circulation. **No. C. 218**

..... of 1943-44.

GENERAL AND REVENUE SECRETARIAT

Council Matter

Subject

The Mysore Labour (Amendment) Bill.

Circulated to the Council of Ministers.

By Order,

Wijayatilaka
Chief Secretary to Government.

1/9/43

.....1st September... *194* 3

51 1490/1/9 **Minister for Revenue and Law.**

52 1654/9/9 **Minister for Public Works.** JPM 9.9 K 9.9

53 **Minister for Local Self-Government and Public Health.** (Seen)

54 1338/4/9 **Minister for Industries and ~~Commerce~~ Supplies.** 8/9

55 1380/1/9 **Minister for Education.** K 1/9

Sec. Law Secy c/s

WD 02720—GPB—500—24-4-43

The Sl. of principles of the amending bill is copied by the Legis Secy but got typed. This may be sent to the Legis Secy to take the typed copies for necessary action. To return on file immediately. 7/9 7/9

Copies attached circulated to Ministers 11.9.43

9/9/43

Ca 10/9

K 10/9

11.9.43

Mysore Labour (amendment) Bill
9th Oct 43 167

69 D. S. N. submits.
14/9
11/9 Minute 92 s 60 15/9
14/9

OFFICE OF THE MINISTER
FOR L. S. G. & P. H.
Date 17.9.43
No. 1910

61 Two copies of signed 7. N. put up.
17/9

62 D. S. N. submitted.

63 D e w a n. 17/9

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH

Subject:— The Mysore Labour (Amendment) Bill.

----- : O : -----

64 With the gracious assent of His Highness on the 10th January 1942, the Mysore Labour Act was passed into Law and published as Act No.XIII of 1942.

65 Sub Section (1) of Section 12 of this Act requires the conciliator or the Board of conciliation as the case may be to conclude any enquiry into a trade dispute within one month of the initiation of conciliation proceedings. The experience gained so far in administering the Labour Act has revealed that it is necessary for the Government to have power in special cases to extend by a further period of one fortnight at a time not exceeding two months in the aggregate and also to make necessary provision to enable the parties themselves to extend the time limit by mutual agreement.

66 A bill has accordingly been framed to provide for the above matter and it is proposed to place the draft bill before the Representative Assembly and Legislative Council at their next session.

67 The Dewan and other Ministers have agreed to the above proposal, which may be graciously approved.

H. B. Gurumurthappa

M I N I S T E R,
Local Self-Government & Public Health.

Bangalore,
17th September 1943.

Submitted to His Highness.

68 I submit herewith a Final Note by the Minister for Local Self-Government and Public Health on the subject of the Mysore Labour (Amendment) Bill for His Highness's gracious approval.

K. Venkatappa

DEWAN.

Bangalore,

17th September 1943.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

The Mysore Labour (Amendment) Bill.

No.220

Order.

14/9/'43.

General and Revenue

Secretariat.

e 218

SUBJECT:—

The Mysore Labour (Amendment) Bill.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Udayachalam
Chief Secretary to Government.

23/9

Through the Secretary to Government,
Development
~~xxxxx~~.....Department.

Ca
23/9

1899/1/10 71 Minister for Revenue and Law.

1976/29/9 71 Minister for Public Works. 30-9-

2033/23/9 72 Minister for Local Self-Govt. and Public Health. 25.9.43

1799/23.9.43 73 Minister for Industries and Supplies. 25/9

2002/29/Sept 3 74 Minister for Education. 29/9

Dev Secy 29 cs

2/10/43

Ca
2/10

NOTE.—Contn. sheet

WD 0718—GPB—1,000—11-9-42

Mysore Labour (Amendment) Bill

9.2.43

The file may be sent to the R.A. Office (Legislative) for further action.

76 (passed by R.A. L.S.G. Minister promised to examine the Labour Code)

Legislative

OFFICE OF THE SECRETARY
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

Subject

(77) The Statement of principles and the Bill were placed before the R.A. on the 4th instant and approved by that House.

(78) The Bill will be published, if approved, under the orders of the Dewan under rule 36 of the Mysore Legislative Rules, the Statement of principles being adopted as the Statement of Objects and Reasons.

Subject to orders with reference to para 76 of the notes

25/10/43

(79) Please put up the R.A. proceedings in respect of this Bill.

25.10.43

Mr. D.V.

Dep. L. (Rewards)

Mr. Destructive insects and pests (Amendment) Bill

(80) A copy of the R.A. proceedings dealing with this Bill is put up. ~~in the file which is also under submission~~

26/10/43

The Mysore Labour (Amendment) Bill

Continuation Sheet. File No. / Current No. 215 RL of Page.

81 During the debate on this Bill in the R.A. the Minister for L.S.G. stated that the question whether a limit should not be fixed even where parties agree to an extension of the period of Conciliation, would be got examined

82 It is submitted that during Conciliation, ~~the~~ work is not interrupted and it is only when Conciliation terminates inconclusively that the parties are left to their own devices. Where the parties agree to an extension therefore, it is submitted that a limit appears unnecessary. Very often with the lapse of time matters will tend to settle themselves and if, as in the present case, work is not interrupted it may perhaps be unnecessary to set a limit up to which only such extension is permissible.

83 The Bill will not therefore require any change. Even in Bombay their Act is on the same lines as the Present Bill.

84 If no change is considered necessary, orders of the Dewan are solicited for publication of the Bill under rule 36 of the Legislative Rules, the St. of Principles being adapted as the St. of Objects and Reasons.

DRS
29.10.43

Secy
(L.A. Dept)

85 So long as the work is not interrupted, and the parties to the dispute are themselves anxious for an extension of time, it seems unnecessary to fix a time limit.

DXR
29-10-43

In favour of Opinion (Law Secy)

Secy Dept
27-10

DXR
1.11.43 29-10-43

Mysore Labour (amendment) Bill

Continuation Sheet. 9h File No. / Current No. 35 215/M 167 of Ce Page.

87 I agree
Ce
11/11
(Mr. L.S.G.)

(Please submit reply recd from Commr of Labour
Ce 11/11/43
Not recd ?
Ce

88 Ce 16-11-43 15th Nov 19
16/11
Ce 17/11

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 13.11.43
No. 3048

89 The R.A. to the Govt wanted this file urgently. If approved this will be sent to the L.S. Office for further action.
9h 18/11
R.A. to Govt

DEWAN'S OFFICE
19 NOV 1943
NO.

90 Permission of the Dewan is solicited for publication of the Bill under rule 86 of the Mysore Legislative Rules.
Secy
RA. to Govt
18.11.43

BXR
18.11.43
Govt
18/11/43

SECY. TO GOVT. MYSORE

Law Secy
91 May be published
Dewan 19/11/43

BXR
19.11.43
Govt
19.11.43

DEWAN'S OFFICE
19 NOV 1943
NO. 2926

92 Mm
20/11/43
Govt 22-11-43

93 xxx BXR
23-11-43
Govt

Mr 20/11/43

WD 01809—GPB—60,000—26-1-43

94 Please arrange to have it Publ. in the Mysore Govt Gazette
Govt

The Mysore Labour (Amendment) Bill

Continuation Sheet. File No. 215/M of Page.
Current No.

95) Draft of a Notification is put up for approval

24/23-11-43 BXR 23.11.43 (Secy RA. Le) 23.11.43

Issue now BXR 23.11.43

To The compiler, Mysore Gazette
No RL 417 dated 23rd Nov 43
directs the publication of the Bill under rule
36 of the Mysore Legislative Rules

96) The following motions are suggested for the Legislative council :-

1. Mr. H.B. Gundappa Gowda (Minister for Local Self-Government and public Health) to introduce the Mysore Labour (Amendment) Bill

2. Also, to move that the Bill be taken into consideration by the council

3. Also, to move that the Bill be passed

24/23-11-43 BXR 23.11.43 97) (Secy "A. Le) 24.11.43

(93) BXR 24.11.43 24.11.43

(Secy)

(99) Jan pleased

Rules 2.59

29 11 43 BXR 25.11.43 25.11.43

(100) 26.11.43 BXR 26.11.43 26.11.43

SECY. LAW DEPT. 1943 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 26.11.43 No. 3369

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 8.12.1943 No. 3718

Mysore Labour Cancellation Bill

Continuation Sheet. File No. 215/N Current No. of Page..

(5) L.C. Section wishes to state if the Bill has introduced in the legislative council and if the bill has been passed as in directed in the agenda

Subs for remark before sending the file to the L.C. Section

10/1-1-44

15/12

Mr. K.V.R

(6) The Reporting Section is requested kindly to furnish the answer required as to whether the Bill referred to above was passed

Sd/-
15-12-43
BVM

Sd/-

(63) The Bill was introduced in the legislative council in December 1943 and was approved by that House

(64) A copy of the Bill as passed by the council and signed by the president under Standing Order 44 is placed in the file.

(65) A.D.F.N. is put up for approval

Typed draft

N. 4-1-44

BVM 4-1-44

(66) A typed draft is submitted

4-1-44

A.D.F.N is submitted for approval

BVM 4-1-44

Secy (A-Ce)

BKR 4-1-44

Law Secy

Submitted

Signed final note in duplicate is placed below

Sd/-

WD 01809—GPB—60,000—26-1-43

DEWAN'S OFFICE 10 JAN 1944 No. 3905

OFFICE OF THE SECRETARY TO GOVT. LAW DEPT. 6376

OFFICE OF THE MINISTER FOR I. & G.M. & P.H. Date 5.1.1943 No. 2290

M.R.L.S.G.

6-1-44

BKR 5-1-44

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH

Subject :—

Promulgation of the Mysore Labour (Amendment) Bill.

-----:O:-----

E

On the 21st September 1943, His Highness was graciously pleased to approve of the proposal to introduce the Mysore Labour (Amendment) Bill in the Representative Assembly and the Legislative Council.

The Bill with a statement of principles was placed before the Representative Assembly in October 1943 and was approved by that House. The Bill was thereafter introduced in the Legislative Council at the December Session 1943 and was passed by it.

R

The Bill as passed by the Council and signed by the President, in accordance with Standing Order 44 of the Mysore Legislative Council Standing Orders is submitted herewith.

I solicit the gracious sanction of His Highness to promulgate the Bill into Law.

Bangalore,
8th January 1944

M. B. Gundappa

M I N I S T E R ,
Local Self-Government and Public Health.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Local Self-Government and Public Health on the subject of the promulgation of the Mysore Labour (Amendment) Bill into Law, for His Highness's gracious approval.

N. Madhava Rau

DEWAN.

Bangalore,

10th January 1944.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation of the Mysore Labour (Amendment) Bill into Law.

No. 514

Order.

12/1/'44.

General and Revenue

Secretariat.

C 585

SUBJECT:—

Promulgation of the Mysore Labour (Amendment) Bill into Law.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Chief Secretary to Government.
15/1/44

Through the Secretary to Government,

....L..a..W.....Department.

17-1-44

4232
21.1.44

Minister for Revenue and Law. 22.1

4586
24/1

Minister for Public Works. 23.1

4613
17.1.44

Minister for Local Self-Govt. and Public Health. 17.1.44

3919
17.1.44

Minister for Industries and Supplies. 18/1

Minister for Education. 19/1/44

4485
18/1/44

Law Secy
W/es

24/1/44

NOTE.—Contn. sheet

M.R.V.

WD 0718—GPB—1,000—11-9-42

24-1-44

The Mysore Labour (Amendment) Bill 1944

Continuation Sheet. File No. Current No. 118 RM of Page.

The gracious assent of His Highness was accorded on 12th January 1944 to promulgate the Bill into Law

A draft G.O. directing the publication of the Act as Act No IV of 1944 is Submitted for approval

20
25/1/44
BVN
25/1

Mayne approves
BVR
25-1-44

Law Secy

Ans
26-1-44

Issue Copy
BVR
26.1.44

To The compiler Mysore Gazette
No RL 521-Legis 3-43-1 dated 26-1-44
orders the publication of the Act in the Gazette

Lr 105-42-5

GOVERNMENT OF MYSORE.

DEPARTMENT OF LABOUR

Tele { Phone 2042 / gram : }

No. A. 18/1.D/42.43.
ENCL. One

OFFICE OF THE COMMISSIONER OF LABOUR,
Mysore Chamber of Commerce Buildings,
Kempegowda Road.

Dated Bangalore City, ...3rd May.... 1943.

FROM

B.G.A. Mudaliar Esq., B.A., B.Sc., A.M.I.Mech.E.,
Commissioner of Labour in Mysore,
BANGALORE.

To

Charles E.Noronha Esquire, M.A.,
Secretary to Government of Mysore,
Development Department,
Bangalore.

Sir,

Subject:- Conciliation proceedings under Section 12 of the Mysore Labour Act, 1942.

I have the honour to state that the provisions of Section 12 of the Mysore Labour Act, 1942, require that the Conciliator or the Board shall conclude the enquiry within one month of the initiation of conciliation proceedings or the appointment of the Board, as the case may be.

2. Four industrial disputes in the Gold Mining Companies on the Kolar Gold Field, arising out of Notices of change under Section 10 (2) of the Act, from the Registered Labour Associations to the Managements of the Mining Company concerned, in the matter of certain changes desired by them in the Leave Rules in force, were, under Section 10 (3) of the Act, referred to the Chief Conciliator in Mysore, Bangalore, on the dates noted against each Industrial dispute in the statement appended hereto.

3. Conciliation proceedings were started in the case of the industrial dispute in the Mysore Gold Mining Co., Ltd., in the first week of March 1943, but as the Chief Conciliator went on leave, the proceedings could not be completed within a month from the date of initiation of the same, as required by Section 12 of the Act. The legal effect of the non-fulfulment of the provisions of this Section is not specified anywhere in the Act. It is taken, however, that the Notice of change may, in such an event, be construed as lapsed. I am to request that instructions of Government may kindly be communicated as to the procedure to be adopted

Pto

adopted in such cases.

I have the honour to be,
Sir,
Your most obedient servant,

Commissioner of Labour.

Sl. No.	Notice of change From	Notice of change To	Date of Notice of change.	Date of referring the Indl. dispute to the Chief Conciliator in Mysore, under Section 10 (3) of the Act.	Remarks.
1.	The President, Oorgaum Mines Labour Association, K.G.F.	The Supt., Oorgaum Gold Mining Co., of India Ltd., K.G.F.	13-12-42.	29-12-42.	Re: Reinstatement of 17 discharged workers, (Notice in Kannada)
2.	The President, Mysore Mines Lr., Association, K.G.F.	The Supt., Mysore Mines Ltd., K.G.F.	12-2-1943.	27/2/1-3/43.	Re: Changes in the existing leave rules.
3.	The Champion Reef Mines Labour Assn., K.G.F.	The Supt., Champion Reef Mines, K.G.F.	24-2-43.	12-4-43.	-do-
4.	The Oorgaum Mines Labour Assn., K.G.F.	The Supt., Oorgaum Gold Mines Ltd., K.G.F.	1-4-43.	12-4-43.	-do-
5.	Nandydroog Mines Labour Association, K.G.F.	The Supt., Nandydroog MinesLtd., K.G.F.	1-4-43.	12-4-43.	-do-

Bangalore.
3rd M a y 43.

Commissioner of Labour
in Mysore.

GOVERNMENT OF MYSORE.

DEPARTMENT OF LABOUR

Tele { phone 2042 / gram :

OFFICE OF THE COMMISSIONER OF LABOUR,
Mysore Chamber of Commerce Buildings,
Kempegowda Road.

No. A-18/I.D./42-43
ENCL.

7. JUL 1943

Dated Bangalore City, ...3rd July..... *1943,*

167

FROM

B.G.A. Mudaliar, Esq., B.A., B.Sc., A.M.I.Mech.E.,
Commissioner of Labour in Mysore,
BANGALORE.

To

Charles E. Noronha, Esq., M.A.,
Secretary to Government,
Development Department,
Bangalore.

Sir,

Subject:-Conciliation Proceedings under Section 12 of the Mysore Labour Act, 1942.

I have the honour to invite kind reference to this office letter of even number dated 3rd May 1943 on the above subject and request the favour of early instructions of Government in the matter.

The file has been submitted to Hon'ble Minister L.S.G. on 7/7/43 for orders.

I have the honour to be,
Sir,
Your most obedient servant,

Commissioner of Labour.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

Statement of Principles

(Continuation sheet draft form.)

Subsection (1) of Section 12 of the Mysore Labour Act requires the Conciliator or the Board of Conciliation, as the case may be, to conclude any enquiry into a trade dispute within one month of the initiation of Conciliation Proceedings.

It has become necessary for the Government to have power, in special cases, to extend the period of one month. It is also desirable that there should be provision for extension of the period in case where the parties to the dispute agree to such extension.

A bill has been introduced, for the purpose to extend the period by a further period of one fortnight at a time not exceeding two months in the aggregate.

The parties are also permitted by mutual agreement to extend the period of time limit fixed in sub-section (1) of section 12.

Statement of Principles

Section 12 (1) of the Mysore Labour Act (Act No. XIII of 1942)

~~The~~ the power of the ~~Government~~ makes it imperative for the Conciliator or the Board of Conciliation in respect of Conciliation Proceedings to conclude the enquiry within one month of the initiation of the Proceedings or the appointment of the Board, as the case may be.

It is considered desirable (1) to extend the time limit for Conciliation Proceedings by a further period of a fortnight at a time, not however exceeding two months in the aggregate and also (2) to give an opportunity to the parties

WD 0280—GPB—22,500—14-3-38

within the said aggregate

to extend the time limit

by mutual agreement.

The present amendment

to the Myan Laban

Act is proposed with

these objects in view.

Dev Kang

23/8

Statement of Principles.

Sub Section (1) of section 12 of the Mysore Labour Act requires the Conciliator or the Board of Conciliation as the case may be, to conclude any enquiry into a trade dispute within one month of the initiation of Conciliation proceedings.

It has become necessary for the Government to have power, in special cases, to extend this period of one month. It is also desirable that there should be provision for extension of this period in cases where the parties to the disputes agree to such extension.

Under the Bill now proposed, Government are given power to extend the period by a further period of one fortnight at a time not exceeding two months in the aggregate. The parties are also permitted by mutual agreement to extend the period of time limit fixed in sub section (1) of Section 12.

Statement of Principles.

Sub Section (1) of section 12 of the Mysore Labour Act requires the Conciliator or the Board of Conciliation as the case may be, to conclude any enquiry into a trade dispute within one month of the initiation of Conciliation proceedings.

It has become necessary for the Government to have power, in special cases, to extend this period of one month It is also desirable that there should be provision for extension of this period in cases where the parties to the dispute agree to such extension.

Under the Bill now proposed, Government are given power to extend the period by a further period of one fortnight at a time not exceeding two months in the aggregate. The parties are also permitted by mutual agreement to extend the period of time limit fixed in sub-section (1) of Section 12.

THE MYSORE LABOUR (Amendment) BILL.

WHEREAS it is expedient to amend the Mysore Labour Act, 1942;

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore Labour (Amendment) Act, 194

(2) It shall come into force on and from the date of its publication in the Official Gazette.

2. In section 12 of the Mysore Labour Act, 1942 (hereinafter referred to as the said Act), –

(a) to sub-section (1) the following proviso shall be added, namely

"provided that the Government may extend the said period of one month by a further period of a fortnight at a time not exceeding, two months in the aggregate."

(b) After sub-section (1) the following sub-section shall be inserted, namely

" (1.a) notwithstanding anything contained in sub-section (1), the parties to any indistrial dispute may, by mutual agreement, agree to extend the period of time limit fixed for conciliation proceedings by any further period and such further period shall be excluded in computing the period of time limit referred to in the said sub-section."

5. THE MYSORE LABOUR (AMENDMENT) BILL.

Statement of Objects and Reasons and
~~Statement of Principles.~~

Sub-section (1) of Section 12 of the Mysore Labour Act requires the Conciliator or the Board of Conciliation, as the case may be, to conclude any enquiry into a trade dispute within one month of the initiation of Conciliation proceedings.

It has become necessary for the Government to have power, in special case to extend this period of one month. It is also desirable that there should be provision for extension of this period in cases where the parties to the dispute agree to such extension.

Under the Bill now proposed, Government are given power to extend the period by a further period of one fortnight at a time not exceeding two months in the aggregate. The parties are also permitted by mutual agreement to extend the period of time limit fixed in sub-section (1) of Section 12.

THE MYSORE LABOUR (AMENDMENT) BILL.

WHEREAS it is expedient to amend the Mysore Labour Act, 1942;

It is hereby enacted as follows :—

1. (1) This act may be called the Mysore Labour (Amendment) Act, 194 .

(2) It shall come into force on and from the date of its publication in the official Gazette.

2. In Section 12 of the Mysore Labour Act, 1942 (hereinafter referred to as the said Act).—

(*a*) to sub-section (1), the following proviso shall be added, namely :—

> "provided that the Government may extend the said period of one month by a further period of a fortnight at a time not exceeding two months in the aggregate."

(*b*) After sub-section (1), the following sub-section shall be inserted, namely :—

> "(1a) notwithstanding anything contained in sub-section (1), the parties to any industrial dispute may, by mutual agreement, agree to extend the period of time limit fixed for conciliation proceedings by any further period and such further period shall be excluded in computing the period of time limit referred to in the said sub-section."

Appendix F G–1]
R. A. & L. C.

SUBJECT.....

.....

.....

Section.

File No.

Serial No.

No. RL 417

Diary No. of letter replied to .....

To

General and Revenue Secretariat
R. A. & L. C.

( )

Notification:-

under the provisions of rule 36 of the Mysore Legislative Rules, 194 the Dewan has been pleased to order the publication in the Gazett of the accompanying Mysore Labou (Amendment) Bill together with the Statement of objects and Reasons

Date of issue 23-11-43

Signed by D. D.K.R

By order

BAR

Secretary to Govt
Law Department

List of enclosures .....

Copied by .....

Examined by .....

QV
23-11-43

To The compiler Mysore Gazette

For publication in part IV of the Gazette dated 25th Nov 1943 and for supply of 175 copies to the Secretariat

Copy to

The Translation Section

5. THE MYSORE LABOUR (AMENDMENT) BILL.

Statement of Objects and Reasons

~~Statement of Principles.~~

Sub-section (1) of Section 12 of the Mysore Labour Act requires the Conciliator or the Board of Conciliation, as the case may be, to conclude any enquiry into a trade dispute within one month of the initiation of Conciliation proceedings.

It has become necessary for the Government to have power, in special case to extend this period of one month. It is also desirable that there should be provision for extension of this period in cases where the parties to the dispute agree to such extension.

Under the Bill now proposed, Government are given power to extend the period by a further period of one fortnight at a time not exceeding two months in the aggregate. The parties are also permitted by mutual agreement to extend the period of time limit fixed in sub-section (1) of Section 12.

THE MYSORE LABOUR (AMENDMENT) BILL.

Bill to amend the Mysore Labour Act 1942,

WHEREAS it is expedient to amend the Mysore Labour Act, 1942;

It is hereby enacted as follows :—

Short title and commencement

1. (1) This act may be called the Mysore Labour (Amendment) Act, 194 .

(2) It shall come into force on and from the date of its publication in the official Gazette.

Amendment of Section 12, Act XIII of 1942

2. In Section 12 of the Mysore Labour Act, 1942 (hereinafter referred to as the said Act).—

(*a*) to sub-section (1), the following proviso shall be added, namely :—

> "provided that the Government may extend the said period of one month by a further period of a fortnight at a time not exceeding two months in the aggregate."

(*b*) After sub-section (1), the following sub-section shall be inserted, namely :—

> "(1a) notwithstanding anything contained in sub-section (1), the parties to any industrial dispute may, by mutual agreement, agree to extend the period of time limit fixed for conciliation proceedings by any further period and such further period shall be excluded in computing the period of time limit referred to in the said sub-section."

4. A BILL TO AMEND THE MYSORE REGISTRATION ACT OF 1903.

Statement of Principles.

Lease deeds executed in favour of the District Boards for the collection of shandy fees have to be got registered and require the presence of the President and two members of the Board in the Sub-Registry Office at the time of registration of the deed.

Representations have been received by Government that this results in expenditure and loss of time. Government are of opinion that exemption from attendance should in such cases be granted to Presidents and members of District Boards as well as Municipal Councils. The amendment now proposed to the Registration Act is intended to provide for such an exemption.

A Bill further to amend the Mysore Registration Act, 1903.

Whereas it is expedient further to amend the Mysore Registration Act, I of 1903 ; Preamble.

It is hereby enacted as follows :—

1. This Act may be called the Mysore Registration (Amendment) Act, 194 . Short title.

2. In section 88 of the Mysore Registration Act, 1903, after the words "any officer of Government" the words "or for any President or member of District Board or of a Municipal Council", and after the words "such officer of Government", the words "President or member of a District Board or of a Municipal Council" shall be added. Amendment of section 88, Act I of 1903.

(As passed by the Legislative Council.)

THE MYSORE LABOUR (AMENDMENT) BILL.

A Bill to amend the Mysore Labour Act, 1942.

WHEREAS it is expedient to amend the Mysore Labour Act, 1942;

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Labour (Amendment) Act, 194 Short title and commencement.

(2) It shall come into force on and from the date of its publication in the Official Gazette.

2. In Section 12 of the Mysore Labour Act, 1942 (hereinafter referred to as the said Act)—

(*a*) to sub-section (1), the following proviso shall be added, namely :— Amendment of section 12, Act XIII of 1942.

"provided that the Government may extend the said period of one month by a further period of a fortnight at a time not exceeding two months in the aggregate."

(*b*) After sub-section (1), the following sub-section shall be inserted, namely :—

"(1-a) notwithstanding anything contained in sub-section (1), the parties to any industrial dispute may, by mutual agreement, agree to extend the period of time limit fixed for conciliation proceedings by any further period and such further period shall be excluded in computing the period of time limit referred to in the said sub-section."

Printed by the Superintendent at the Government Press, Bangalore.

D. H. Chandrashekaraiah 27/12/63

PRESIDENT,
LEGISLATIVE COUNCIL.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No. RL 5-21 Legis 33-43-1 Dated, Bangalore, 25th Jan 1944

Ordered that the accompanying Mysore Labour (Amendment) Act, 1944

which received the assent of His Highness the Maharaja, on the 12th day of January 1944, be published as Act No. IV of 1944, in the *Mysore Gazette*, for general information.

BXR 25-1-44

General Secretary to Government.
Law Department

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

2. Copy to the Translation Section.

NOTIFICATION.

No. Rl. 417, *dated Bangalore, the* 23*rd November* 1943.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying Mysore Labour (Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMI NAIDU,
Secretary to Government,
Law Department.

(Approved by the Legislative Council)

Act No. 10 of 1944.

THE MYSORE LABOUR (AMENDMENT) BILL. Act 1944

A Bill to amend the Mysore Labour Act, 1942.

WHEREAS it is expedient to amend the Mysore Labour Act, 1942;

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore Labour (Amendment) Act, 194

(2) It shall come into force on and from the date of its publication in the Official Gazette.

2. In Section 12 of the Mysore Labour Act, 1942 (hereinafter referred to as the said Act)—

Amendm of section Act XIII 1942.

(*a*) to sub-section (1), the following proviso shall be added, namely :—

"provided that the Government may extend the said period of one month by a further period of a fortnight at a time not exceeding two months in the aggregate."

(*b*) After sub-section (1), the following sub-section shall be inserted, namely :—

"(1-a) notwithstanding anything contained in sub-section (1), the parties to any industrial dispute may, by mutual agreement, agree to extend the period of time limit fixed for conciliation proceedings by any further period and such

further period shall be excluded in computing the period of time limit referred to in the said sub-section."

(Sd) N. Madhava Rau
Dewan

Statement of Objects and Reasons.

Sub-section (1) of Section 12 of the Mysore Labour Act requires the Conciliator or the Board of Conciliation, as the case may be, to conclude any enquiry into a trade dispute within one month of the initiation of Conciliation proceedings.

It has become necessary for the Government to have power, in special case to extend this period of one month. It is also desirable that there should be provision for extension of this period in cases where the parties to the dispute agree to such extension.

Under the Bill now proposed, Government are given power to extend the period by a further period of one fortnight at a time not exceeding two months in the aggregate. The parties are also permitted by mutual agreement to extend the period of time limit fixed in sub-section (1) of Section 12.

Printed by the Superintendent at the Government Press, Bangalore.